

TIMOTHY ZINDEL, #158377  
P.O. Box 188976  
Sacramento, CA 95818  
Tel: (916) 704-2665  
[timzindel@gmail.com](mailto:timzindel@gmail.com)

Attorney for Defendant  
WALTER SMITH

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	Case No. 2:23-CR-0112-DJC
Plaintiff,	)	
vs.	)	<b>STIPULATION AND ORDER</b>
	)	<b>CONTINUING STATUS CONFERENCE</b>
WALTER SMITH,	)	<b>AND EXCLUDING TIME</b>
Defendant.	)	
	)	Judge: Hon. Daniel J. Calabretta
	)	Date: September 14, 2023
	)	Time: 9:00 a.m.

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Plaintiff, United States of America, and defendant, Walter Smith, hereby stipulate that the status conference scheduled for September 14, 2023, may be continued to January 18, 2024, at 9:00 a.m.

The government has provided 1375 pages of written discovery, including audio and video evidence, but has yet to complete its review of devices seized from Mr. Smith. The parties agree that this must be done before the case may be further scheduled. Once the government's review is completed, the defense may require additional time to review, investigate, and determine what steps are needed to prepare and schedule the case. The parties therefore agree, and request, that the Court should exclude time under the Speedy Trial Act from the date of this order through

January 18, 2024, pursuant to 18 U.S.C. section 3161(h)(7)(A) and (B)(iv) (Local Code T4).  
The parties agree that the period of delay results from a continuance granted at the request of the  
defense and that the ends of justice served by taking such action outweigh the best interest of the  
public and the defendant in a speedy trial.

Respectfully Submitted,

Dated: September 8, 2023

/s/ Tim Zindel  
TIMOTHY ZINDEL  
Attorney for WALTER SMITH

PHILLIP A. TALBERT  
United States Attorney

Dated: September 8, 2023

/s/ T. Zindel for R. Yang  
ROGER YANG  
Assistant U.S. Attorney

### ORDER

The status conference is continued to January 18, 2024. Time under the Speedy Trial Act  
is excluded for the reason set forth above, the Court finding that the ends of justice served by  
taking such action outweigh the best interests of the public and the defendant in a speedy trial.

IT IS SO ORDERED.

Dated: September 8, 2023

/s/ Daniel J. Calabretta  
THE HONORABLE DANIEL J. CALABRETTA  
UNITED STATES DISTRICT JUDGE